

COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT
PERSONNEL

JUNE 30 (legislative day, JUNE 29), 1965.—Ordered to be printed

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S. 1474]

The Committee on Rules and Administration, to whom was referred the bill (S. 1474), to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The committee concurs in and adopts as its own the following favorable report on S. 1474, which it has received from its Subcommittee on Privileges and Elections:

The Subcommittee on Privileges and Elections of the Committee on Rules and Administration, to whom was referred the bill, S. 1474, having considered the same, report favorably thereon to the full committee.

Committee action.—S. 1474, introduced by Senator Daniel B. Brewster (Democrat, Maryland), was referred to the Committee on Rules and Administration on March 10, 1965. The committee sent it to its Subcommittee on Privileges and Elections for study.

A public hearing on the bill was held by the subcommittee on May 10, 1965.

Fifteen witnesses, representing the U.S. Senate, the House of Representatives, the U.S. Civil Service Commission, various Federal employee associations and unions, local representatives of both major political parties, and nonpartisan civic organizations, testified concerning the bill.

Every interested person or group was extended the opportunity to appear personally and/or to submit a written statement.

Testimony from every witness was in general support of the bill, and no opposition was voiced before the subcommittee.

Purpose of the legislation.—In essence, S. 1474 proposes the creation of a bipartisan commission consisting of 12 members which shall make—

a full and complete investigation and study of the Federal laws which limit or discourage the participation of Federal and State officers and employees in political activity with a view to determining the effect of such laws, the need for their revision or elimination, and an appraisal of the extent to which undesirable results might accrue from their repeal.

The Federal law which would be the subject of greatest concern to the Commission under the bill is the Hatch Political Activities Act, 1939, as amended. That act, first signed into law August 2, 1939, has existed for almost 26 years without major amendment, and proponents of S. 1474 urge a thorough and detailed examination to ascertain whether, at this time—a quarter century after its passage—the Hatch Act needs modification.

Testifying before the subcommittee on S. 1474, John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, stated as follows:

Twenty-five years have passed since the enactment of this law (the Hatch Act). There have been changes in governmental programs and relationships. These changes may well have affected or altered the purposes and requirements for limiting partisan political activity of Government employees. They may have produced conditions which call for modifications in the methods and degree of such restrictions. There would be no objection to a temporary commission to assess these changes by the method, and for the purposes, set forth in this bill (S.1474).

While witnesses before the subcommittee criticized many facets of the Government-Federal employee relationship with respect to partisan political activity, unanimous recognition was given to the need for a broad study of pertinent Federal laws pursuant to the provisions of Senator Brewster's proposed legislation.

Recommendation.—The subcommittee is of the opinion that a bipartisan, objective study of this nature would serve the best interests of the Federal Government, its employees, and the public. Many vague and uncertain areas of Government-employee relationships might well benefit from a constructive, critical review of the laws pertinent to those relationships.

There may be some revisions of the Hatch Act which would be in the public interest, therefore, a commission to study the matter is in order.

It is not intended that such a Commission lose sight of the problems which made the Hatch Act necessary. There should be no reversion to the situation where Federal employees are coerced into making political donations, kickbacks from their salaries, and doing political work for the administration in power.

It was the grave abuses in these areas that caused the Congress to adopt the act originally. If a Commission is appointed that makes recommendations, those recommendations should preserve the original intent of the Hatch Act.

The subcommittee, however, is united in its opinion that a study Commission should be established and therefore unanimously recommends that S. 1474 be favorably reported to the Senate.

HOWARD W. CANNON.
CLAIBORNE PELL.
CARL T. CURTIS.